

REMARKS

This Amendment and the following remarks are intended to fully respond to the Office Action dated December 21, 2004. In that Office Action, claims 1-20 were examined, and all claims were rejected. More particularly, claims 4-5, 7, 11 and 18 are rejected under 35 U.S.C. §112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1-3, 6-10, 13-17 and 19-20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Christfort et al (Christfort) (US PG Pub 2002/0129016A1) in view of Ndili (US PG Pub 2002/0161928A1). Reconsideration of these rejections, as they might apply to the original and amended claims in view of these remarks, is respectfully requested.

In this Response, claims 4-5, 7, 11 and 18 are amended and no claims are cancelled. Therefore, claims 1-20 remain present for examination.

Claim Amendments

Applicants herein amend claims 4, 11 and 18 to correct the antecedent basis for the claim limitation "control." Claim 5 is herein amended to correct the typo in the word "adapter." Claim 7 is amended herein to clarify that it is a computer-readable medium (or "Beauregard") claim.

Claim Rejections – 35 U.S.C. § 112

Claims 4-5, 7, 11 and 18 are rejected under 35 U.S.C. §112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants herein amend claims 4, 11 and 18 to correct the antecedent basis for the claim limitation "control." Claim 5 is herein amended to correct the typo in the word "adapter." Claim 7 is amended herein to clarify that it is a computer-readable medium (or "Beauregard") claim. Applicants believe the amendments address all of the issues raised by the Examiner with respect to the rejections under 35 U.S.C. §112 and, therefore, respectfully request the Examiner to withdraw these rejections.

Claim Rejections - 35 U.S.C. § 103

Claims 1-3, 6-10, 13-17 and 19-20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Christfort et al. (US PG Pub 2002/0129016A1, hereinafter “Christfort”) in view of Ndili (US PG Pub 2002/0161928A1, hereinafter “Ndili”). Applicants respectfully traverse the Examiner’s rejections on the grounds that neither Christfort nor Ndili are prior art with respect to the present application.

Christfort was filed on September 5, 2001 and has an effective date of September 6, 2000 through a claim of priority to a provisional application. Ndili was filed on September 26, 2001 and has an effective date of October 10, 2000 through a claim of priority to a provisional application filed on that date.

Applicants hereby submit 37 CFR 1.131 declarations (Exhibit A) and supporting documentation (Exhibit B) that the present invention was reduced to practice prior to the, September 6, 2000 effective date of Christfort. The present invention was first primarily implemented through the object base classes named HtmlCoreAdapter and WmlCoreAdapter. By August 17, 2000 these two base classes had been separated into the base classes PageAdapter and TextControlAdapter for each of the Html and Wml languages. Exhibit B includes two e-mail messages between the inventors regarding the reduction to practice of the software embodiments of the invention. The first e-mail message, dated August 14, 2000, indicates that the software that embodies the present invention “compiled and ran on both ASP+ 1919 and 2009” and “ran Kris’ test.aspx page before and after these changes and on HTML and WML devices” indicating that the present invention was reduced to practice at least by August 14, 2000. The second e-mail message includes a chain of e-mails documenting the development of the invention and provides a detailed list of the files changed on August 17, 2000. This e-mail chain documents that at least on August 17, 2000 the inventors had reduced to practice what is essentially the current implementation of the invention as claimed and the implementation was operable as indicated in the “testing” section that the runtime ran with no problem.

Applicants believe these documents show detail of sufficient "character and weight" as required under 37 CFR 1.131(b) to establish that the present invention as claimed was conceived and reduced to practice at least prior to the Christfort reference's effective date of September 6, 2000. Therefore the Christfort reference cited by the Examiner are not prior art to the pending application, the Examiner has not made out a *prima facie* case of obviousness. Applicants respectfully request that the Examiner withdraw this rejection and find the claims in a condition for allowance.

Conclusion

In light of the foregoing remarks, it is believed that the application is in condition for allowance and thus prompt allowance is respectfully solicited. Since the remarks above are believed to distinguish over the applied reference, any remaining arguments supporting the claim rejections are not acquiesced to because they are not addressed herein.

Should the Examiner have any remaining questions, he is encouraged to contact the undersigned attorney at the telephone number below to expeditiously resolve such concerns.

Date: April 13, 2005



Respectfully submitted,

A handwritten signature in black ink, appearing to be "George C. Lewis", written over a horizontal line.

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